IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION (LODG)NO.918 OF 2004
IN
COMPANY PETITION NO.1168 OF 2001

M/s. Pragil Enterprises .. Appliacants

V/s.

The Official Liquidator of
M/s. Shalimar Tubes
Industries Pvt. Ltd(In liqn.)
and Another .. Respondent

Shri A. Ramakrishna for the Applicant.
Shri S.C. Gupta, Official Liquidator present.
Shri Prakash Shinde i/b. M/s. Dhruva & Co. for Respondent no.2/Indian Bank.

CORAM: S.J. VAZIFDAR, J.

DATE : 29 OCTOBER, 2004.

P.C. :

1. The Company Application is made returnable forthwith and taken up for hearing. The Applicant is the purchaser of the properties. He has paid the entire consideration of Rs.87,00,000/- for the same.

He has taken possession of the property. He is therefore entitled to the original documents in respect thereof. The learned Counsel appearing on behalf of the Indian Bank states that the original documents are with the D.R.T. In the circumstances,the following order is passed;

(i) The Respondent no.1/Indian Bank shall forthwith make an application with the D.R.T. for withdrawal of the original documents by substituting the same with copies certified and or authenticated in the manner directed by the D.R.T.

(ii) Upon receiving the original documents, Respondent no.2 shall hand over the same to the Official Liquidator.

(iii) The Official Liquidator shall hand over the original documents to the Applicant, upon the Applicant filing an undertaking

on Affidavit both in this Court as well as before the D.R.T. to produce the original documents as and when required. The Company Application is disposed of.

. All concerned to act on a copy of this order duly authenticated by the Office/Court Stenographer of this Court.

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